



City of Annapolis

Department of Planning & Zoning

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Planning Commission

September 5, 2013

The Planning Commission (PC) of the City of Annapolis held its regular meeting on September 5, 2013 in City Council Chambers. **Chair** Dr. Harris called the meeting to order at 7:05p.m.

Commissioners Present: **Chair** Dr. Eleanor Harris, **Vice Chair** William Herald, David Iams, Dr. Wilford Scott, Robert Waldman, David DiQuinzio

Staff Present: Jon Arason, Maria Broadbent, Dr. Sally Nash, Frank Biba

Dr. Scott moved approval of the agenda as amended to move Public Hearing Item #5 up on the agenda. Mr. Waldman seconded the motion. **Passed 5-0.** (DiQuinzio was not present at vote)

Chair Dr. Harris welcomed all the Alderpersons who were in attendance.

The PC recognized and expressed their appreciation for Dr. Scott's 29 years of volunteer service to the Commission.

B. APPROVAL OF MINUTES

July 18, 2013 Meeting Minutes

Vice Chair Herald moved approval of the July 18, 2013 meeting minutes as written. Dr. Scott seconded the motion. **Passed 5-0.** (DiQuinzio was not present at vote)

C. PUBLIC HEARING

1. Ordinance #O-19-13, ZTA2013-011

Mr. Arason described Ordinance #O-19-13 established for the purpose of adding the projected school capacity for the Annapolis High School feeder system to the list of development review criteria. He provided copies of the revised staff memorandum, Ordinance O-19-13, certain pages of the Educational Facilities Master Plan (EFMP). These pages provide a comparison of enrollment and school utilization charts by feeder district as well as State rated capacity. He noted that P&Z currently includes the Board of Education (BOE) as a reviewing agency on major development review projects. When the BOE responds, the response generally includes what schools the students will be attending and whether they will be bused or walked. O-19-13 allows P&Z to provide input on the EFMP; review the proposed development to project the number of students and what school they will be attending. This information is then provided to the BOE. He recommends approval of Ordinance O-19-13 that will amend Title 21 of the code as presented.

Mr. Alex Szachnowicz, Chief Operating Officer, BOE, explained that the State is very "prescriptive" on how it calculates current and projected capacity for schools so encouraged the City to incorporate by reference this approved statewide database. He explained that this database is updated annually and approved by the County's Department of P&Z and audited by the Maryland Office of Planning.

Public testimony opened at 7:54pm and those speaking on the agenda item are noted below.

Name	Address	In Favor	In Opposition
Jessica Packler		X	
Phillip Hale			X
Charles Walsh			X
Alderwoman Finlayson indicated that she was not speaking in the capacity of her position and stated her opposition to the ordinance.			
Alderman Arnett	Spoke On		
Alderman Littman	Spoke On		

No one else from the public spoke in favor or opposition of the application so **Chair** Dr. Harris declared the public hearing closed at 8:12pm.

Chair Dr. Harris accepted the following exhibits into the record.

Exhibit Number	Exhibit Type
1	Staff Memorandum dated September 5, 2013 with attachments
2	Alan Hyatt Letter dated September 3, 2013
3	Lara Fritts, CEO of AEDC dated September 3, 2013
4	Alderman Littmann's Proposed Amendments to O-19-13

Mr. Szachnowicz responded to questions from the PC.

Mr. Waldman moved to approve Ordinance #O-19-13 including the amendments proposed by Alderman Littmann. Mr. Iams seconded the motion. **Fails 3-3** (Diquinzio, Scott, Harris opposed)

Mr. Diquinzio agreed to prepare the findings.

2. 2010, 2011, 2012 Local Jurisdictional Annual Report – Measures and Indicators for Annapolis

Dr. Nash noted that the City is required to provide these local jurisdictional annual reports and provided the reports for 2010-2012.

Mr. Waldman moved to approve the reports as presented. Dr. Scott seconded the motion. **Passed 6-0.**

3. Ordinance, #O-28-13, ZTA2013-013

Dr. Nash explained that Ordinance O-28-13 proposes to update the language in Title 21 from Article 66B to land use.

Public testimony opened at 8:50pm and no one from the public spoke in favor or opposition of the application so **Chair** Dr. Harris declared the public hearing closed at 8:51pm.

Mr. Waldman moved approval of Ordinance O-28-13 as presented. **Vice Chair** Herald seconded the motion. **Passed 6-0.**

Findings

Mr. Waldman moved to approve O-28-13 as submitted. Dr. Scott seconded the motion. **Passed 6-0.**

Chair Dr. Harris accepted the following exhibits into the record.

Exhibit Number	Exhibit Type
1	Staff Memorandum dated July 18, 2013 with attachments

4. Ordinance, #O-30-11, ZTA2011-010

This agenda item will be heard at the September 19, 2013 meeting.

5. Ordinance, #O-21-13, #ZTA2013-007

Mr. Elson noted that Ordinance O-21-13 proposes to implement the State's Forest Conservation Act and a draft of the legislation was presented to members at the July 18, 2013 meeting. He explained that the legislation is based on the State's preferred and preapproved model act. The Forest Conservation Act Working Group (FCAWG) appointed by the Mayor reviewed the model act to determine if changes were needed. He explained that most of the language in the legislation is verbatim from the model act. The FCAWG focused its review on the forest stand delineation (FSD) and forest conservation plan review process as well as discussion on the technical manual. The legislation allows the DNEP to use the State manual until the City adopts its own manual and will serve as guidance until then. He noted that the PC is being asked to determine whether the model act is something that the City should adopt as part of the planned development review process. Ms. Broadbent and Mr. Biba were present for questions from the PC. Mr. Elson responded to questions from the PC.

Vice Chair Herald moved to accept the recommendations of the FCAWG and report back to Council on such. Mr. Iams seconded the motion. **Passed 5-1** (Scott dissents)

Mr. Iams agreed to prepare the memorandum.

E. ADJOURNMENT

With there being no further business, Mr. Waldman moved to adjourn the meeting at. **Vice Chair** Herald seconded the motion. **Passed 6-0**. The next meeting is scheduled for September 19, 2013.

Tami Hook, Recorder